Ca	ase 06-10725-gwz Doc 2793 Entered 02/15/07 09:45:35	Page 1 of 7
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		3)15/D
1	STUTMAN, TREISTER & GLATT, P.C. SHEA & CARLYO	
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8	Counsel for the Official Committee of Equity Security Holders of	<u></u>
9	USA Capital First Trust Deed Fund, LLC	
10	UNITED STATES BANKRUPTCY COU	RT
7.1	In re:	N 777 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7 7
11	USA COMMERCIAL MORTGAGE COMPANY) BK-S-06-10725-LBR
12	Debtor) Chapter 11
12	In re:) BK-S-06-10726-LBR
13	USA CAPITAL REALTY ADVISORS, LLC,) Chapter 11
14	Debtor In re:)
15	USA CAPITAL DIVERSIFIED TRUST DEED FUND, LLC,) BK-S-06-10727-LBR
13	Debtor) Chapter 11
16	In re:) BK-S-06-10728-LBR
17	USA CAPITAL FIRST TRUST DEED FUND, LLC,) Chapter 11
1 /	Debtor.)
18	In re: USA SECURITIES, LLC,) BK-S-06-10729-LBR
19	Debtor.	Chapter 11
19	Affects	<i>)</i>)
20	All Debtors))
21	USA Commercial Mortgage Co.))
21	☐ USA Securities, LLC☐ USA Capital Realty Advisors, LLC	DATE: February 15, 2007
22	USA Capital Diversified Trust Deed) TIME: 9:30 a.m.
23	USA First Trust Deed Fund, LLC))
	NOTICE OF ENTRY OF ORDER BY COVEY	
24	NOTICE OF ENTRY OF ORDER RE STIPULATION R OFFICIAL COMMITTEE OF EQUITY SECURITY HOLD	E MOTION BY THE
25	FIRST TRUST DEED FUND LLC TO ESTIMATE AN ADE	OHATE DECEDUE FOR
26	UNLIQUIDATED AND DISPUTED CLAIMS IN ORDER T	O PERMIT FIIRTUED
	DISTRIBUTIONS TO FTDF MEMBERS (K.	ANTOR)
27		· · · · · · · · · · · · · · · · · · ·
28	PLEASE TAKE NOTICE that an Order re Stipulation	re Motion by the Official
- 11		

SHEA & CARLYON, LTD. 228 S. Fourth Street, First Floor Las Vegas, Nevada 89101 (702) 471-7432

Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Estimate an Adequate Reserve for Unliquidated and Disputed Claims in Order to Permit Further Distributions to FTDF Members (Kantor) was entered on the 15th day of February, 2007, a true and correct copy of which is attached hereto.

SHEA & CARLYON LTD.

JAMES PATRICK SHEA CANDACE C. CARLYON SHLOMO S. SHERMAN 233 South Fourth Street, Second Floor Las Vegas, Nevada 89101

and

STUTMAN, TREISTER & GLATT, P.C. FRANK A. MEROLA EVE H. KARASIK CHRISTINE M. PAJAK 1901 Avenue of the Stars, 12th Floor Los Angeles, CA 90067

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5	STUTMAN, TREISTER & GLATT, P.C.	SHEA & CARLYON, LTD.	
6	FRANK A. MEROLA (CA State Bar No. 136934)	JAMES PATRICK SHEA	
7	EVE H. KARASIK	(Novada State Bar No. 000405) CANDACE C. CARLYON	
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12	cpajak@stutman.com	ccarlyon@sheacarlyon.com ssherman@sheacarlyon.com	
13	Counsel for the Official Committee of Equity Se USA Capital First Trust Deed Fund, LLC	curly Holders of	
14		BANKRUPTCY COURT	
14 15 16	in re: USA COMMERCIAL MORTGAGE COMPA	TOP NEVADA) BK-S-06-10725-1 F	IR.
15	in re:	T OF NEVADA) BK-S-06-10725-LE	
15 16 17 18	In re: USA COMMERCIAL MORTGAGE COMPAI Debtor In re: USA CAPITAL REALTY ADVISORS, LLC.	TOR NEVADA) BK-S-06-10725-LE) Chapter 11) BK-S-06-10726-LE) Chapter 11)	BR
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MA & CARLYON, ATTA INSTRUMENTALISM SEVENSE NEWSTERNS INTERVIEW

ORDER RE STIPULATION RE MOTION BY THE OFFICIAL COMMITTEE OF EQUITY SECURITY HOLDERS OF USA CAPITAL FIRST TRUST DEED FUND LLC TO ESTIMATE AN ADEQUATE RESERVE FOR UNLIQUIDATED AND DISPUTED CLAIMS IN ORDER TO PERMIT FURTHER DISTRIBUTIONS TO FIDE MEMBERS (KANTOR)

The Court having considered the Stipulation re Motion by the Official Committee of Equity Security Holders of USA Capital First Trust Deed Fund, LLC to Estimate an Adequate Reserve for Unliquidated and Disputed Claims in Order to Permit Further Distributions to FTDF Members (Kantor) (the "Stipulation") and good cause appearing:

IT IS HEREBY ORDERED THAT the Stipulation is approved.

IT IS FURTHER ORDERED THAT on an interim basis, in order to allow the FTDF to make the February Equity Distribution¹ a reserve (the "February Kantor Reserve") in the amount of \$1.00 shall be established on behalf of the Kantor Claims. The February Kantor Reserve shall only apply with respect to the February Equity Distribution.

IT IS FURTHER ORDERED THAT the FTDF Committee retains all of its rights to seek to establish a reserve for the Kantor Claims (a "Future Kantor Reserve") with regard to any further distributions to the equity holders of the FTDF before the Kantor Claims have been allowed, disallowed, or fixed. Furthermore, the Kantors retain all of their rights to object to any such distributions to equity holders in the future. The amount of any Potential Future Kantor Reserve for the Kantor Claims shall be established by further order of the Court.

IT IS FURTHER ORDERED THAT the Stipulation and this Order shall have no preclusive, res judicata, or otherwise prejudicial effect on the ultimate amount of the Kantor Claims, which shall be determined by further order of the Court. The Kantor Claimants and

the FTDF Committee retain all of their rights, including with respect to future "prove up" of 2 the amount of the Kantor Claims in the event the Kantor Claims are not disallowed based 3 upon the pending Objection to the Kantor Claims, which is set for hearing on March 1, 2007. 4 5 SUBMITTED BY: 6 SHEA & CARLYON, LTD. JAMES PATRICK SHEA CANDACE C. CARLYON SHLOMO S. SHERMAN 10 233 South Fourth Street, Second Floor 1.1 Las Vegas, Nevada 89101 12 and 13 14 STUTMAN, TREISTER & GLATT, P.C. 15 FRANK A. MEROLA EVEH. KARASIK 16 CHRISTINE M. PAJAK 1901 Avenue of the Stars, 12th Floor Los Angeles, CA 90067 18 19 20 APPROVED/DISAPPROVED: 21 McGUIRE WOODS, LLP 22 23 Michael M. Schmahl, Esq. 24 77 West Wacker Drive Suite 4100 25 Chicago, Illinois 60601-1818 26 27 Unless otherwise defined herein, all capitalized terms shall have the meaning ascribed to them in the

SHEA & CARLIDA, LID. Fre S. Frieds Brieg Free Free Lis Verse Keneds Suns (NI) 471-1412

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Stipulation.

1 2 RAY QUINNEY & NEBEKER P.C. 3 Annette W. Jarvis, Utah Bar No. 1649 5 36 South State Street, Suite 1400 P.O. Box 45385 б Salt Lake City, Utah 84145-0385 7 and 8 SCHWARTZER & MCPHERSON LAW FIRM Lenard E. Schwartzer Jeanette E. McPherson 10 2850 South Jones Boulevard, Suite 1 Las Vegas, Nevada 89146-5308 11 Counsel for the Debtor 12 REVIEWED: 13 OFFICE OF U.S. TRUSTEE 14 15 16 AUGUST B. LANDIS, ESQ. 300 Las Vegas Blvd. S., #4300 17 Las Vegas, NV 89101 18 19 20 21 22 23 24 25 26 27

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